

Message Text

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51

ACTION L-02

INFO OCT-01 EUR-12 ISO-00 IO-10 CIAE-00 DODE-00 PM-03 H-01

INR-05 NSAE-00 NSC-05 PA-01 RSC-01 PRS-01 SP-02 SS-15

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P R 271756Z NOV 74

FM AMEMBASSY BONN

TO SECSTATE WASHDC PRIORITY 6515

INFO USMISSION USBERLIN

C O N F I D E N T I A L BONN 18460

E.O. 11652: GDS

TAGS: PFOR, WB, GW, US, UK, FR

SUBJECT: INTERNATIONAL COVENANT ON CIVIL AND POLITICAL
RIGHTS

REF: A) STATE 257970

B) BONN 18194

C) USBER 2123

D) BONN 17842

1. DURING NOV 27 BONN GROUP DISCUSSION OF RESERVATIONS
ALLIES WILL MAKE REGARDING APPLYING FRG ARTICLE 41
DECLARATION IN THE WSB, FRG LEGAL ADVISOR (VON RICHTOFEN)
SAID BONN INTENDS TO INCLUDE SUMMARY OF RESERVATIONS IN
NOTE CONTAINING FRG ARTICLE 41 DECLARATION TO UN SEC GEN
(AS DEPOSITORY). VON RICHTOFEN REQUESTED THAT ALLIES
ISSUE BK/L MAKING RESERVATIONS ASAP SO FRG CAN PROCEED
WITH DEPOSIT. HE SAID THAT PARA TWO ARTICLE 41 OF
INTERNATIONAL CIVIL AND POLITICAL RIGHTS COVENANT, WHICH
PROVIDES THAT ARTICLE 41 DECLARATIONS BE DEPOSITED WITH
THE UN SEC GEN WHO THEN TRANSMITS COPIES TO ALL STATES
PARTIES OF THE COVENANT, AND FRG INTENTION DESCRIBED ABOVE
WOULD MOOT QUESTION AS TO WHETHER ALLIED RESERVATIONS
SHOULD BE BROUGHT TO ATTENTION OF ONLY STATES MAKING
ARTICLE 41 DECLARATIONS OR OF ALL STATES PARTIES. UK
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REP (CROMARTIE) WELCOMED FRG COMMENTS, SAYING LONDON

BELIEVED IT IMPORTANT THAT THE DEPOSITORY BE APPRISED OF ALLIED RESERVATIONS FROM BEGINNING SO AS TO ASSURE THEY ARE ACCEPTED IN ANY FUTURE CASE INVOLVING BERLIN. HE ADDED THAT LONDON BELIEVES SUCH NOTICE OF ALLIED RESERVATIONS WOULD ALSO STRENGTHEN ALLIED HAND IN CASE OF SOVIET PROTEST OF EXTENSION FRG ARTICLE 41 DECLARATION TO THE WSB.

2. COMMENT AND ACTION REQUESTED. EMBASSY RECOMMENDS DEPARTMENT AGREE TO TEXT CONTAINED REFTEL D FOR LANGUAGE ON COMMUNICATION OF RESERVATIONS. WE AGREE WITH REMARKS OF UK REP THAT RESERVATIONS MUST BE MADE KNOWN TO DISPOSITORY AT TIME -OF DEPOSIT IN ORDER TO BE VALID. FRG DESIRES TO MAKE DEPOSIT ASAP AND WE SEE NO USEFULNESS IN HOLDING UP THIS MATTER WHILE FUNDAMENTAL QUESTION OF BK/L LANGUAGE FOR FUTURE CASES IS CONSIDERED.
CASH

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